

CHAPTER 16 – CONSTRUCTION ADMINISTRATION**1.0 General Information**

- 1.1. The project architect/engineer shall have primary responsibility for the inspection of the project, and shall represent the owner and advise and consult the project team in the administration of the construction contract or contracts.
- 1.2. The project architect/engineer shall keep the project team informed and aware of all construction activity, requesting assistance when necessary.
- 1.3. When the construction contract has been awarded by Purchases, DFM will issue a Notice to Proceed in accordance with Chapter 14, section 6.0.

2.0 Project Construction Meetings

- 2.1. The project architect/engineer shall coordinate scheduling a pre-construction conference with the contractor, subcontractors, state agency representatives and DFM inspectors.
 - 2.1.1 Attend and use a Pre-construction Conference Agenda FPDC Form 430, available under “Planning Forms” at the DFM website www.da.ks.gov/fp/.
 - 2.1.1.1. Conduct progress meetings to review the status, schedule and quality of work for compliance with contract documents. This responsibility may be delegated to the contractor when approved by the project team.
 - 2.1.1.2. Be responsible for all meeting minutes and issue them in a timely manner to all parties unless delegated to the contractor when approved by the project team.
 - 2.1.1.3. Attend other meetings as required by the state agency or DFM to resolve problems, at no additional cost to the owner.
 - 2.1.1.4. Coordinate any additional meetings with DFM representatives prior to scheduling.
 - 2.1.2 The project architect/engineer may request compensation for additional inspections when required by an adjustment to the completion time of the contract, requested by the state agency or required by unusual project requirements.

3.0 Shop Drawings

- 3.1. The project architect/engineer shall review and approve shop drawings of fabricators and manufacturers, and samples of materials for conformance with the drawings and specifications and submit copies of approved shop drawings to the contractor, the state agency and DFM simultaneously.
 - 3.1.1 All approved shop drawings should be delivered to DFM in electronic .PDF, unless otherwise directed by DFM.
 - 3.1.2 Sprinkler and fire alarm shop drawings shall follow requirements in Chapter 7, and approved shop drawings shall be submitted on bond and in electronic .PDF.
- 3.2. During the shop drawing submittal phase, substitutions for only discontinued products may be submitted for approval. No other substitutions can be submitted for approval after the “request for substitution” period during the bidding phase.

- 3.3. For projects that have security related shop drawings, as part of the close out procedures, the project architect/engineer shall return all security related shop drawings to the Owner.

4.0 Project Architect/Engineer Inspections

- 4.1. At a minimum, provide the following inspection services:
 - 4.1.1 Conformance with the contract documents.
 - 4.1.1.1. Upon recommendation by the project architect/engineer, the state agency and DFM, the Secretary of Administration may issue a stop work order to the contractor whenever the Secretary determines that the work does not comply with the contract documents. ([K.S.A. 75-3783 \(a\), \(3\)](#)).
 - 4.1.2 Inspection of site utilities prior to any utility being buried.
 - 4.1.3 Inspection of above ceiling work and in concealed spaces prior to the spaces being covered up.
 - 4.1.4 Inspection of each life safety item or system.
- 4.2. At each payment application, review the contractor's record documents to verify contractor is noting changes made during construction.
- 4.3. Prepare and distribute field reports.

5.0 DFM Inspections

- 5.1. DFM performs specific code compliance inspections on all projects for the Secretary of Administration. Reference Chapter 7 of this manual for required inspections.
 - 5.1.1 When a code issue is identified, the DFM inspector will contact the project architect/engineer and the DFM planner for resolution. All code issues will be documented on the DFM inspector's inspection report.
- 5.2. DFM performs specific code compliance inspections and periodic project inspections on extended service projects.

6.0 Interpretation of the Contract Documents

- 6.1. The project architect/engineer shall determine the meaning and intent of any portion of the contract documents.
 - 6.1.1 Respond promptly to requests from the contractor for information and interpretations, so that the construction schedule is not adversely affected. All requests for information and interpretation from the contractor shall be documented in writing and distributed to the contractor, state agency representatives and DFM.
 - 6.1.2 Issue field orders to the contractor for adjustments or changes in work. All field orders shall be documented in writing and distributed to the contractor, state agency representatives and DFM.
- 6.2. The project architect/engineer's interpretations or clarifications of the contract documents are subject to review by the Director of the Division of Facilities Management.

- 6.2.1 When the Director is notified by the contractor within ten (10) days of an unresolved disputed interpretation with the project architect/engineer's written clarification, the Director or his designee will meet with the Contractor and project architect/engineer to hear the positions of both parties.
- 6.2.2 The director may designate alternative procedures to receive and review the positions of the parties or may delegate the decision-making power to a negotiating committee. The director, his designee or the negotiating committee will render a decision within thirty-days of the hearing.

7.0 Contractor Payment Applications

- 7.1. The project architect/engineer shall review the contractor's application for payment for accuracy of the amount requested and the status of the on-site record documents. Undisputed requests for payment shall be approved and forwarded to the Owner within seven (7) days of receipt.
 - 7.1.1 The schedule of values (similar to AIA Document G703) submitted by the contractor should include a line item for record documents.
 - 7.1.2 When recommending the application for payment, the project architect/engineer shall sign and forward the application to the state agency, and send a copy to DFM.
 - 7.1.3 The state agency will prepare a contract estimate voucher (DA-124) and batch sheet, and forward all documents to A&R.
 - 7.1.4 After verification of funds, A&R will print a warrant for payment to the contractor.
- 7.2. If the project architect/engineer does not approve a payment the contractor shall be notified and given a choice of resubmitting the application with correct information, or agreeing to hold the application until work is at the level indicated on the application.

8.0 Construction Contract Change Orders

- 8.1. The project architect/engineer shall prepare and sign change orders in a timely manner. The Contract Change Order FPDC Form 460 is available under "Planning Forms" on the DFM website <http://da.ks.gov/fp/>.
 - 8.1.1 The project architect/engineer shall provide five (5) copies of the change order for routing and signature by the designated parties.
 - 8.1.2 All change order items shall be related to the original scope of work (i.e. unforeseen conditions, errors, omissions, etc.) and have prior approval from the state agency.
 - 8.1.3 Prior approval from DFM is required for building code and accessibility issues.
 - 8.1.4 Multiple items may be included on each change order.
- 8.2. All change orders greater than \$125,000 shall be reported to the Joint Committee on State Building Construction (JCSBC) by the Secretary of Administration (through DFM). ([K.S.A. 75-1264](#))
 - 8.2.1 Failure to notify DFM in a timely manner of a change order over \$125,000 may result in a delay of change order approval.

8.2.2 DFM will sign these change orders after they have been reviewed by the JCSBC.

8.2.3 Attendance by the agency representatives and the project architect/engineer at the presentation of the change order to JCSBC may be required.

9.0 Substantial Completion

9.1. All forms mentioned below are available under "Planning Forms" on the DFM website at www.da.ks.gov/fp/.

9.2. The project architect/engineer shall determine substantial completion (or partial substantial completion) by conducting a joint inspection with the contractor, state agency representatives and DFM representatives.

9.2.1 When found substantially complete the project architect/engineer shall prepare a punch list of incomplete items or deficiencies and shall include a date for each item to be finished.

9.2.2 Without delay the project architect/engineer shall distribute the punch list along with four (4) signed copies of the Certificate of Substantial Completion FPDC Form 570 (to the contractor, state agency representatives and DFM.

9.2.2.1. Issuance of the Substantial Completion Certificate shall not be construed to permit occupancy. Occupancy is permitted only when DFM issues the Certificate of Occupancy as noted in Chapter 7.

9.2.3 It is the project architect's/engineer's responsibility to ensure that punch list items are finished in a timely manner and to conduct an inspection with all parties to verify that all punch list items are finished.

9.2.4 When agencies request substantial completion for part of a construction or renovation project, the same procedures above will apply. When issuing the substantial completion form and project architect/engineer should note and describe on the form, the area being inspected as "partial substantial completion".

10.0 Occupancy

10.1. Installation, testing, correction, and retesting of all life safety systems included in the project must be approved by DFM prior to the issuance of the Certificate of Occupancy FPDC Form 150 by the DFM Code Compliance Coordinator as outlined in Chapter 7.

11.0 Project Completion and Final Payment

11.1. The project is complete when the project architect/engineer determines the construction is in accordance with the contract documents and the following items are complete:

11.1.1 Punchlist items.

11.1.2 Final Cleaning has occurred to the satisfaction of the Owner and project architect/engineer.

11.1.3 If Commissioning is the responsibility of the contractor, it has been completed and a commissioning report has been delivered to the architect/engineer.

- 11.1.4 If Testing and Balance is the responsibility of the contractor, reports have been completed and delivered to the architect/engineer.
- 11.1.5 All warranties and instructions have been delivered to the Owner.
- 11.1.6 O and M manuals have been delivered to the project architect/engineer, have been reviewed for completeness and have been delivered to the Owner.
- 11.1.7 Training and demonstrations of as required by the specifications has been completed.
- 11.1.8 All keys have been delivered to the Owner.
- 11.1.9 All maintenance equipment and tools have been delivered to the Owner.
- 11.1.10 All extra materials and spare parts have been delivered to the Owner.
- 11.1.11 Record Documents have been delivered to the project architect/engineer.
- 11.1.12 DFM has received all final paperwork listed below.
- 11.2. The final paperwork is initiated when the project architect/engineer prepares and forwards four (4) copies of the signed Certificate of Project Completion Form 575 and two (2) copies of the Affidavit FPDC Form 580 to the contractor.
- 11.3. The contractor shall sign the Certificates and Affidavits and forward them with two (2) copies of the final payment application to the state agency.
 - 11.3.1 The Affidavit states that all project indebtedness of the contractor or subcontractors has been paid in full and the state of Kansas has been paid in full for all loss, cost damage or other expense caused by the contractor or subcontractors.
- 11.4. The state agency signs the Certificates of Project Completion and final payment applications and forwards all documents to DFM who signs the Certificates of Project Completion and forwards the documents to A&R for final payment to the contractor.
- 11.5. When the Certificate of Project Completion is signed by all parties, the state agency assumes responsibility for maintenance, custodial care and utilities for the premises not previously accepted under prior Certificate(s) of Partial Occupancy.

12.0 Post-Construction Services

- 12.1. The project architect/engineer shall complete a contractor evaluation on each project. DFM uses these evaluations in the contractor pre-qualification process (See Chapter 15). The form is available under "Planning Forms" on the DFM website at www.da.ks.gov/fp/.
- 12.2. The project architect/engineer shall submit a complete set of record documents to DFM within three months of project completion.
 - 12.2.1 One (1) set of design team's record drawings on Mylar® or vellum which reflect significant changes in the work made during the construction process.
 - 12.2.1.1. Each discipline's record drawings should also be based on the contractor's record drawings (marked up black-line prints) as required by the General Conditions of the Construction Contract.

- 12.2.2 Three (3) CD / DVD, each containing the same set of Record Documents.
 - 12.2.2.1. Each discipline's electronic .PDF record drawings complying with Chapter 17.
 - 12.2.2.2. A complete set of technical specifications and attached reports in electronic .PDF.
 - 12.2.2.3. All other documents generated by the project architect/engineer during the bidding and construction phases in electronic .PDF.
- 12.2.3 DFM (and the agency) will have 60 days to review and request changes to the design team's record documents.
- 12.2.4 DFM will retain the Mylar® / vellum record drawings and one set of electronic record documents on CD / DVD.
- 12.2.5 The state agency will receive two (2) CD / DVDs of electronic record documents.
- 12.2.6 Additional Mylar® / vellum or CD / DVD copies of record drawings should be negotiated by the agency.
- 12.3. The project architect/engineer shall remain available during the one-year expressed warranty period to assist the state agency and DFM should problems develop.
 - 12.3.1 Within nine months of the date on the Certificate of Project Completion the project architect/engineer shall initiate a warranty inspection of the project jointly conducted by the project team.
 - 12.3.2 The project architect/engineer shall notify the contractor of any deficiencies discovered and is responsible to see that all items are completed in a timely manner.

END OF CHAPTER 16